

Attorney Docket No. 048501/311532

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

DISPERSIONS AND METHODS OF PREPARING THEM,

the specification of which

☐ is attached hereto

OR

☒ was filed on 11/5/2004 as PCT International Application Number PCT/AU2004/001536.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
2004905501	AU	09/23/2004	<input type="checkbox"/>	<input type="checkbox"/>	X

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from my Australian representatives, Spruson & Ferguson Patent and Trade Mark Attorneys, as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number:

Customer Number 00826

Direct telephone calls to:

David E. Cash
Registration No. 52,706
Tel Raleigh Office (919) 862-2200
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Full name of first inventor:

Mathew James Francis

Inventor's

Signature: x M. Francis

Date: x 21/11/06

Residence:

Curtin, Australia

Citizenship:

Australia

Mailing Address:

4 Bray Place
Curtain
Australian Capital Territory 2605
AUSTRALIA

Full name of second inventor:

Richard Mark Pashley

Inventor's

Signature: x R.M. Pashley

Date: x 20/11/06

Residence:

Cook, Australia

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POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM	Application Number	PCT/AU2004/001536
	Filing Date	5 November 2004
	First Named Inventor	Mathew James Francis
	Title	Dispersions and methods of preparing them
	Art Unit	
	Examiner Name	
	Attorney Docket Number	048501/311532

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint

Alston & Bird LLP

☒ Practitioners associated with Customer Number

00826

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agents(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number

OR

☐ The address associated with Customer Number

OR

☐ Firm or Individual Name

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

The Australian National University

Signature

X

PROFESSOR LAWRENCE CRAM
DEPUTY VICE-CHANCELLOR (RESEARCH)
AUSTRALIAN NATIONAL UNIVERSITY
CANBERRA ACT 0200 AUSTRALIA

Date

24 Nov 2006

X Day Month Year

Name

X

Telephone

X

Title and Company

X

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below *.

☒ * Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application for to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

S&F Ref: 752386US

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: The Australian National UniversityApplication No./Patent No.: PCT/AU2004/001536 Filed/Issue Date: 5 November 2004Entitled: Dispersions and methods of preparing themThe Australian National University a body established under the Australian National University Act 1991
(Cwth)

(Name of Assignee)

(Assignee, eg., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ an assignment from Inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the Inventor(s), of the patent application/patent identified above, to the current assignee
As shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (ie., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

The Australian National University

× *J Elram*
Signature
PROFESSOR LAWRENCE CRAM
DEPUTY VICE-CHANCELLOR (RESEARCH)
AUSTRALIAN NATIONAL UNIVERSITY
CANBERRA, ACT 0200 AUSTRALIA

× _____
Printed or Typed Name

× _____
Title

× 24 Nov 2006
Date (Day Month Year)

× _____
Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application for to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

S&F REF: 752386US

JOINT
(After Application Filed)**ASSIGNMENT OF PATENT RIGHTS FOR THE UNITED STATES****FOR VALUE RECEIVED, WE**

(1)

Mathew James Francis, an Australian citizen,

(Address of Inventor 1) of, 4 Bray Place, Curtin, Australian Capital Territory 2605, Australia

(2)

Richard Mark Pashley, an Australian citizen,

(Address of Inventor 2)) of, 22 Mackellar Crescent, Cook, Australian Capital Territory 2614, Australia

COPY

hereby sell, assign, transfer and convey unto The Australian National University

a Corporation of

a body established under the Australian National University Act 1991 (Cwth)

having a place of business at

Acton, Australian Capital Territory 0200, Australia

its successors, assigns and legal representatives (hereinafter called the "Assignee"), the entire right, title and interest, for the United States, in and to certain inventions relating to

Dispersions and methods of preparing them

and described in an application for an International (PCT) Patent Application designating the United States filed by us on 5 November 2004

and which has been accorded Application No. PCT/AU2004/001536

and in and to said application, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted, thereon, and all reissues and extensions thereof; and we hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue all Letters Patent upon said inventions to the Assignee or to such nominees as it may designate.

AND we authorize and empower the said Assignee or nominees to invoke and claim for any application for patent or other form of protection for said inventions, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from us.

AND we hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in the United States for any purpose and more particularly in proof of the right of said Assignee or nominees to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property as amended, or by any convention which may henceforth be substituted for it.

AND we hereby covenant that we have the full right to convey the entire right, title and interest herein assigned and that we have not executed and will not execute any agreement in conflict herewith.

AND we hereby covenant and agree that we will communicate to said Assignee or nominees all facts known to us pertaining to said inventions, and testify in all legal proceedings, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and declarations and in general perform all lawful acts necessary or proper to aid said Assignee or nominees in obtaining, maintaining and enforcing all lawful patent protection for said inventions in the United States.

Dated: x 21 / 11 / 06
Day Month Year

x Mathew James Francis
Mathew James Francis

COPY

x Miles Rzechowicz
Signature of Witness

Name of witness: Miles Rzechowicz

Dated: x 21 / 11 / 06.
Day Month Year

x R. M. Paslley
Richard Mark Paslley

x Miles Rzechowicz
Signature of Witness

Name of witness:

Miles Rzechowicz

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